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THE MYSORE GAZETTE.

Vol. XXXII.] Published by Authority. [No. 9.

BANGALORE, THURSDAY, MARCH 4, 1897.

PART III.

ACTS AND REGULATIONS PASSED BY THE GOVT. OF MYSORE.

LEGISLATIVE DEPARTMENT.

REGULATION No. I OF 1897.

(*Passed on the 9th day of February* 1897.)

A Regulation to amend Regulation III of 1884 (*A Regulation to amend the Law relating to Legal Practitioners practising in the Courts of Mysore*).

Preamble.

WHEREAS it is expedient to amend "The Mysore Legal Practitioners' Regulation, 1884"; Her Highness the Maharani-Regent is pleased to enact as follows:—

Addition to Section 3, Regulation III, 1884.

1. To Section 3 of the said Regulation, the following shall be added, namely:—

Tout.

"'Tout' means a person who procures the employment in any legal business of any legal practitioner in consideration of any remuneration moving from such practitioner, or proposes to a legal practitioner to procure his employment in any legal business in consideration of such remuneration."

Substitution of new section for Section 13, Regulation III, 1884.

2. For Section 13 of the said Regulation the following shall be substituted, namely:—

Suspension and dismissal of Legal Practitioners convicted of criminal offence.

"13 A. The Chief Court may suspend or dismiss any Legal Practitioner enrolled under the foregoing provisions, who shall be convicted of any criminal offence implying a defect of character which unfits him to be a Legal Practitioner.

Suspension and dismissal of Legal Practitioners guilty of unprofessional conduct.

"13 B. The Chief Court may also, after such inquiry as it thinks fit, suspend or dismiss any Legal Practitioner enrolled as aforesaid—

(*a*) who takes instructions in any case except from the party on whose behalf he is retained, or some person who is the recognized agent of such party within the meaning of the Code of Civil Procedure, or some servant, relative or friend authorized by the party to give such instructions; or

(*b*) who is guilty of fraudulent or grossly improper conduct in the discharge of his professional duty; or

(*c*) who tenders, gives or consents to the retention, out of any fee paid or payable to him for his services, of any gratification for procuring or having procured the employment in any legal business of himself or any other Legal Practitioner; or

(*d*) who, directly or indirectly, procures or attempts to procure the employment of himself as such Legal Practitioner through, or by the intervention of, any person to whom any remuneration for obtaining such employment has been given by him, or agreed or promised to be so given; or

(*e*) who accepts any employment in any legal business through a person who has been proclaimed as a tout under Section 28; or

(*f*) for any other reasonable cause."

Alteration of Section 14, Regulation III, 1884.

3. For the first sentence in Section 14 of the said Regulation the following shall be substituted, namely :—

"If a Judge of any Court subordinate to the Chief Court is of opinion that there are grounds for proceeding under the provisions of Section 13 B against a Legal Practitioner practising in such Court, such Judge shall cause a formal charge to be drawn up setting forth concisely the said grounds, and shall send a copy of the said charge to him, and also a notice that on a day therein appointed such charge will be taken into consideration."

Substitution of new section for Section 28, Regulation III, 1884.

4. For Section 28 of the said Regulation the following shall be substituted, namely :—

"28. (1) The Chief Court, the District and Sessions Judge, and the District Magistrate may each as regards their or his own Court, and the Courts, if any, subordinate thereto, frame and publish lists of persons proved to their or his satisfaction, by evidence of general repute or otherwise, habitually to act as touts, and may, from time to time, alter and amend such lists.

Power to frame and publish lists of touts.

(2) No person's name shall be included in any such list until he shall have had an opportunity of showing cause against such inclusion.

(3) A copy of every such list shall be kept hung up in every Court to which the same relates.

(4) The Court or Judge may, by general or special order, exclude from the precincts of the Court any person whose name is included in any such list.

(5) Every person whose name is included in any such list shall be deemed to be proclaimed as a tout for the purpose of Section 13 B, clause (*e*)."

K. SHESHADRI IYER,
Dewan of Mysore.